REMARKS

On entry of this response, claims 4-6 and 10 have been amended. Claims 1 and 11-16 were withdrawn in response to the restriction requirement. Claims 2-10 are pending in the instant application, of which claim 2 is independent. Applicant respectfully submits that the pending claims define over prior art.

I.   Specification

The specification is objected to because of minor informalities. Applicant has amended the specification to address the issue raised by the Examiner. In light of the foregoing amendments to the specification, Applicant respectfully requests that the Examiner reconsider and withdraw the objection to the specification.

II.   Claim Rejection under 35 U.S.C. §112, Second Paragraph

Claims 4, 5, 7 and 10 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claims 4-6 to change their dependencies, which addresses the antecedent basis issues. Applicant has amended claim 10 to clarify that Applicant claims a device configured to perform breaking separation. In light of the forgoing amendments to the claims, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 4, 5, 7 and 10 under 35 U.S.C. §112, second paragraph.

III.   Claim Rejection under 35 U.S.C. §102(e)

Claims 2-8 and 10 are rejected under 35 U.S.C. §102(e) as being anticipated by US 2004/0011842 (hereinafter "Hahnel"). Applicant respectfully traverses the rejection.

Applicant respectfully submits that Hahnel does not disclose each and every feature of the claims. For example, Hahnel does not disclose "at least two gripping means, said gripping means being couplable to said half-mandrel corresponding to said at least one bearing cap," as recited in claim 2.

In the Office Action, the Examiner asserts that the workpiece countermount (14) described in Hahnel corresponds to the gripping means recited in claim 2. Applicant respectfully disagrees.

In Hahnel, the workpiece countermount (14) supports the half-mandrel (18). However, the workpiece countermount (14) does not grip the half-mandrel (18). In comparison, the gripping means recited in claim 2 is couplable to the half-mandrel. Hahnel does not disclose that the workpiece countermount (14) is couplable to the half-mandrel, as recited in claim 2.

Applicant respectfully submits that Hahnel fails to disclose still another feature of the claims. For example, Hahnel does not disclose that "a unit comprising said corresponding half-mandrel, said gripping means, said fixing means and said clamped bearing cap is supported in a freely movable manner to a limited degree, though secured against rotation, in the direction of breaking separation," as recited in claim 2.

In Hahnel, the half-mandrel (18) may lift-off from the machine such that it is not secured against rotation. In comparison, a unit comprising the corresponding half-mandrel, the gripping means, the fixing means and the clamped bearing cap recited in claim 2 is secured against rotation during breaking separation. With this feature, the claimed invention reduces bending strains that arise during fracture separation. Therefore, the claimed invention improves the properties of fracture phases during braking separation. Hahnel does not provide the above features of the claimed invention. There is no disclosure in Hahnel that a unit comprising the corresponding half-mandrel, the gripping means, the fixing means and the clamped bearing cap is secured against rotation during breaking separation, as recited in claim 2.

Claims 3-8 and 10 depend from claim 2 and, as such, incorporate all of the features of claim 2. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 2-8 and 10 under 35 U.S.C. §102(e).

IV.   Claim Rejection under 35 U.S.C. §103(a)

Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hahnel in view of any of US 6,457,621 (hereinafter Hahnel II"), US 2002/0023939 (hereinafter "Hase") or US 2002/0104864 (hereinafter "Knoll). Applicant respectfully traverses the rejection.

Claim 9 depends from claim 2 and, as such, incorporates all of the features of claim 2. Applicant respectfully submits that any combination of Hahnel, Hahnel II, Hase and Knoll fails to teach or suggest all of the features of claim 9. For example, the combination of Hahnel, Hahnel II, Hase and Knoll does not teach or suggest "at least two gripping means, said gripping means being couplable to said half-mandrel corresponding to said at least one bearing cap," and that "a unit comprising said corresponding half-mandrel, said gripping means, said fixing means and said clamped bearing cap is supported in a freely movable manner to a limited degree, though secured against rotation, in the direction of breaking separation," as recited in claim 9.

Hahnel does not teach or suggest the above features of claim 9.

Hahnel II, Hase and Knoll are cited to provide teachings for the feature added in claim 9. However, none of Hahnel II, Hase and Knoll, alone or in any combination, teach or suggest that the gripping means is couplable to the half-mandrel, and that a unit comprising the corresponding half-mandrel, the gripping means, the fixing means and the clamped bearing cap recited in claim 2 is secured against rotation during breaking separation. Although one of Hahnel II, Hase and Knoll is combined with Hahnel, the combination does not teach or suggest the above features of the claimed invention.

Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claim 9 under 35 U.S.C. §103(a).

IV.   Conclusion

In view of the above amendments, Applicant believes the pending application is in condition for allowance.

Dated: April 30, 2009   Respectfully submitted,

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